Reporting on ILO Conventions and Recommendations

- Conventions, Protocols and Recommendations
  - **Conventions**: Legally binding upon ratification
  - **Protocols**: Add contents to a Convention, subject for ratification
  - **Recommendations**: Not legally binding, compliments Conventions with additional details and suggested implementation measures
  - List of Conventions ratified by each country, visit [www.ilo.org/normlex](http://www.ilo.org/normlex), and click “Country profile”

- Three types of reports on Conventions and Recommendations, all obligatory under the ILO Constitution.
  - Reporting on Conventions ratified by your country (ILO Constitution Article 22 – “Article 22 reports”)
  - Reporting on unratified Conventions and Recommendations (ILO Constitution Article 19(5)(e) and Article 19(6)(d) – “Article 19 report”)
  - Reporting on submission of ILO Conventions and Recommendations to Parliament (ILO Constitution Article 19(5)(b) and Article 19(6)(b))

- Two bodies that deal with reports sent from each country
  - **Committee of Experts on the Application of Conventions and Recommendations (CEACR)**
    - Consisting of independent legal experts (not ILO officials, often judges and professors)
    - Meets once a year (November – December) to deal with all reports
    - Issues comments – Observations are more serious
      - Observations: points of non-conformity, progress in implementation
      - Direct Requests: Requests for more information
  - **Committee on the Application of Standards (CAS)**
    - A body under the International Labour Conference – Membership is tripartite
    - Meets during the ILC (June) and discuss based on the report of the CEACR
      - Serious cases of violation of Conventions (individual cases)
      - How reporting obligations are fulfilled by countries
    - Issues Conclusions

- What happens if reports are not sent – Countries’ names appear in CEACR and CAS reports
  - **CEACR report**: Report III (Part 1A), Part I, Chapter II “Compliance with standards-related obligations” (Look for report 1A in a Collection is available at: [http://www.ilo.org/public/libdoc/ilo/P/09661/](http://www.ilo.org/public/libdoc/ilo/P/09661/))
  - Names do not appear right away. They appear after repeated failure to report.

- Reporting on ratified Conventions (Article 22 report)
  - **Why report**
    - To report how a member State is implementing its legal obligations under ILO Conventions
    - To avail of any necessary technical assistance by informing the current situation
  - **What to report**
    - How Conventions are applied through national law and various programmes (detailed report)
    - Information requested by CEACR, any updates on national laws, policies and programmes (simplified report)
How to report
- Check CEACR comments - visit www.ilo.org/normlex, and click “Country profile”.

When to report
- Reporting cycle: every 3 years for fundamental Conventions (core Conventions), every 5 years for other Conventions
- If a report is late, it may be examined in the following year. Deadline for reporting is between 1 June and 1 September of every year
- If a report is not sent, it will be requested in the following year.
- Sometimes CEACR requests a special report (out-of-cycle report)
- Reports due for a particular year can be checked on the NORMLEX database (visit www.ilo.org/normlex, see under “Country profile”)

Reporting on unratified Conventions and/or Recommendations (“Article 19 report”)

Why report
- To promote ratification of Conventions and better implementation of Recommendations as this reporting provides an opportunity to review laws and regulations of your country
- The results are compiled into a document called “General Survey”, a useful reference as the Survey explains Conventions or Recommendations in question.

What to report
- Laws and practice concerning Conventions unratified by your country and/or any relevant Recommendations (i.e. reporting is obligatory for all countries)
- Only one report on a subject matter is requested every year. Since this reporting is by subjects, each reporting usually deals with multiple Conventions and Recommendations

How to report
- Use a report form prepared specifically for each report, i.e. changes every year (available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:14002:0::NO:::)

When to report
- Request is sent around July every year
- Deadline for reporting is usually end-February of the following year

Reporting on submitting ILO Conventions and Recommendations to Parliament

Why report
- To promote implementation of Conventions and Recommendations by ensuring that the legislature is informed of these instruments

What to report
- Which instruments were submitted to Parliament
- Any decision or reaction by Parliament upon submission

How to report

When to report
- Instruments must be submitted within 12-18 months after adoption at the ILC.